

REMARKS/ARGUMENTS

In this Amendment, claims 1-27 are pending and claim 1 has been amended. The amendment is supported at page 6. No new matter is presented.

35 U.S.C. § 102 Rejections Overcome

The claims were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Conte US 5,487,901 and 5,650,169 and under 35 U.S.C. §102(e) as allegedly being anticipated by Faour US 6,599,284. Applicants traverse the rejection.

The claims have now been amended to recite a tablet completely coated by a film that is impermeable to aqueous fluids, the film is delimited with incisions which demarcate a defined area, and the incision(s)-delimited film is present before contact with aqueous fluids and is removed when the therapeutic system comes into contact with aqueous fluids. As the claim language now recites, the tablet is completely covered by an impermeable film prior to contact with any aqueous fluid.

In contrast to this claim language, each of Conte and Faour disclose a tablet with a pre-formed aperture or passageway. Prior to being contacted with aqueous fluid, there is an area in each of the disclosed tablets which is not coated. Conte describes a tablet with an area in which the coating has been removed from the final tablet. See Conte '901 at col. 3, lines 3-6, stating "Said tablet is characterized by being entirely coated - with the only exception of a small area of the upper side." As is evidenced by its title, Faour describes a tablet with a passageway already formed, so that there is an area in the final tablet which is not coated.

None of these references teach or disclose Applicants' presently claimed tablet system in which the passageway is created only after contact with aqueous fluids. Because each of these references fails to disclose each and every element of Applicants' presently claimed invention (a coating that completely and entirely surrounds the tablet core with the portion of the coating delimited by incision(s) being removed only after fluid contact), the cited references do not anticipate the present claims. Withdrawal of the §102 rejections is thus respectfully requested.

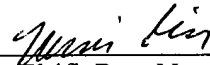
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Conclusion

Applicants submit that this paper is fully responsive and that the application is in condition for allowance. Should any questions arise concerning the application, the Examiner is encouraged to contact the undersigned at the telephone number provided below. With the enclosed three month extension of time, this response is due on or before October 6, 2006. The Commissioner is hereby authorized to charge payment of any fees that may be required, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 28069-602.

Respectfully submitted,



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